

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No. 38 of 2017

ORDER:

Defendant No.1 in O.S.No.440 of 2002 on the file of the Principal Junior Civil Judge, Markapur is the petitioner herein. Respondent No.1 herein filed the suit for the relief of recovery of money from the petitioner. The evidence in the suit was completed. At that stage, the petitioner filed I.A.No.463 of 2016 seeking amendment of the written statement on the ground that he discharged the entire suit amount and the said plea was not taken due to oversight.

The trial Court dismissed the application on the ground that the suit was posted for arguments. It observed that the petitioner did not take such plea at the time of framing of issues or at the time of adducing evidence. This is not one of the cases where liberal approach can be made in favour of defendant No.1, and the order passed by the trial Court dismissing the application for amendment of written statement at the stage of arguments is proper.

The civil revision petition is accordingly dismissed.

Miscellaneous petitions, if any, pending in this revision shall also stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:10.02.2017

kdl